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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

INCORP SERVICES, INC., a Nevada
corporation,

Plaintiff,

vs.

**THE BETTER BUSINESS BUREAU OF
SOUTHERN NEVADA, INC.**, a Nevada
Non-Profit Corporation, **COUNCIL OF
BETTER BUSINESS BUREAUS, INC.**, a
Delaware Non-Profit Corporation, **SYLVIA
CAMPBELL**, an individual, and **DOES 1-
10**, inclusive,

Defendants.

Case No.

COMPLAINT

DEMAND FOR JURY TRIAL

COMPLAINT

1 Plaintiff Incorp Services, Inc. ("Incorp") brings this Complaint against Better
2 Business Bureau of Southern Nevada, Inc., ("BBBSN"), Council of Better Business
3 Bureaus, Inc. ("CBBB"), and Sylvia Campbell ("Campbell") (collectively "Defendants"),
4 and alleges as follows:

5 INTRODUCTION

6 1. Incorp is the largest Nevada-based national registered agent service, and
7 has over 75,000 active clients around the world.

8 2. Incorp enjoys a sterling reputation in the registered agent industry for the
9 quality of its services and its responsiveness to customer concerns.

10 3. Defendants advertise themselves as an unbiased public-interest
11 organization, designed to provide consumers with honest and accurate information about
12 businesses.

13 4. Defendants' advertisements are false, as their ratings of businesses are
14 intentionally biased and inconsistent, and in particular, heavily favor businesses that
15 have chosen to pay money to and participate in Defendants' Accreditation program.

16 5. In fact, when a business pays money to Defendants to participate in
17 Defendants' Accreditation program, Defendants serve as these businesses' agents in
18 promoting these businesses.

19 6. Incorp has declined to participate in Defendants' Accreditation program,
20 which would require Incorp to pay Defendants an annual fee.

21 7. As a result of this decision, Defendants have intentionally assigned Incorp
22 an inconsistent letter grade rating, which often appears as an "F" rating. Defendants
23 have published this rating on their BBBOOnLine system, which is available to the public.

24 8. Defendants' rating of Incorp is inaccurate and inconsistent with the rating
25 criteria published by Defendants. In fact, on multiple occasions, Defendants' rating of
26 Incorp has fluctuated several letter grades in a single day, and then appeared as "Not
27 Rated," an unlikely—if not impossible—occurrence under Defendants' advertised rating
28 formula.

9. Moreover, Defendants have systematically disregarded Incorp's attempts to understand the complaints that have been filed against Incorp with Defendants, to respond to consumer complaints, to communicate with Defendants, and to repair Incorp's rating published by Defendants.

10. Based on Defendants' self-promotion as an unbiased public-interest organization, millions of consumers have relied on Defendants' BBB OnLine service each month to select businesses to use.

11. When prospective and existing customers of Incorp use Defendants' BBB OnLine Service and view Incorp's inaccurate "F" rating, they are discouraged from using Incorp.

12. As a result, Incorp has lost both prospective and existing customers as a result of Defendants' misconduct.

JURISDICTION AND VENUE

13. This Court has subject matter jurisdiction over the federal false advertising claims pursuant to the Lanham Act, 15 U.S.C. §1121 and 28 U.S.C. §§1331 & 1338. The Court has supplemental jurisdiction over the claims arising under state law pursuant to 28 U.S.C. §1367(a), in that the state law claims are so related to the claims over which the Court has original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution.

14. This Court has personal jurisdiction over BBBSN and Campbell because they reside and conduct business in the State of Nevada.

15. This Court has personal jurisdiction over CBBB because it conducts business within the State of Nevada, in that it is, on information and belief, the franchisor of BBBSN, which was formed specifically to conduct business in Nevada. On information and belief, BBBSN is under the control of CBBB and is subject to a franchise agreement as drafted by the CBBB, for operation in Nevada. This Court also has personal jurisdiction over CBBB because the harm resulting from its misconduct, which is at issue in this complaint, was most prominently felt in the State of Nevada.

1 including registered agent services.

2 25. Incorp has an established track record of providing high quality, trouble-
3 free, and efficient registered agent services to its clients.

4 26. As a result of Incorp's history of providing excellent registered agent
5 services, Incorp enjoys a sterling reputation in the industry and a competitive advantage
6 over other registered agent services.

7 27. Incorp is currently the largest Nevada-based national registered agent firm,
8 the second largest registered agent in Nevada by volume of active business entities
9 represented, and the fourth largest registered agent firm nationally.

10 28. As of January 2009, Incorp had over 65,000 active clients around the
11 world.

12 29. Incorp is known in the registered agent industry for its unparalleled
13 customer service. Incorp seeks to resolve any and all customer disputes quickly and with
14 the maximum benefit to its customers.

15 30. As a result, Incorp has received few customer complaints. And of those
16 few complaints it has received, Incorp has taken swift affirmative steps to resolve these
17 complaints as quickly as possible.

18 31. To date, Incorp has a customer satisfaction rate well above 99.9%.

19 32. Incorp's reliability and trustworthiness are important factors for customers
20 in selecting a registered agent service, and reflect Incorp's highly regarded customer
21 service.

22 DEFENDANTS' BUSINESS

23 33. CBBB is a non-profit corporation established in 1912.

24 34. CBBB claims that its mission is to be the leader in advancing marketplace
25 trust. CBBB further claims that it seeks to accomplish this mission by: a) creating a
26 community of trustworthy businesses; (b) setting standards for marketplace trust; (c)
27 encouraging and supporting best practices; (d) celebrating marketplace role models; and
28 (e) denouncing substandard marketplace behavior. CBBB further claims that it exists so

1 consumers and businesses alike have an unbiased source to guide them on matters of
2 trust.

3 35. Given its longevity and its ostensible mission, many consumers mistakenly
4 believe that CBBB is a governmental or quasi-governmental entity.

5 36. On information and belief, more than 70% of consumers in the United
6 States believe that CBBB is a governmental organization.

7 37. CBBB is a network hub for regional franchises in the United States and
8 Canada.

9 38. On information and belief CBBB has more than 124 franchises in North
10 America, which have ostensibly agreed to serve businesses and consumers in their
11 respective communities.

12 39. On information and belief, BBBSN is a regional franchise of CBBB,
13 ostensibly serving businesses and consumers located in Southern Nevada.

14 40. While BBBSN is independently governed by its own board of directors,
15 BBBSN is required to satisfy CBBB's requirements, which requirements are monitored
16 and enforced by CBBB on a continuous basis.

17 41. On information and belief, as part of its franchise agreement with CBBB,
18 and as part of its required mission, BBBSN has agreed to foster honest and responsive
19 relationships between businesses and consumers, instilling consumer confidence, and
20 contributing to a trustworthy marketplace for all. Thus, BBBSN claims that it is a
21 resource for consumers to turn to for objective, unbiased information about businesses.

22 42. CBBB—and its regional franchises (including BBBSN)—offer an
23 “Accreditation” service for businesses.

24 43. Accreditation ostensibly means that CBBB—and the relevant regional
25 franchise—have determined that a business meets their Accreditation standards, which
26 include a commitment to ethical and honest business practices and a commitment to
27 undertake good faith efforts to resolve any consumer complaints.

28 44. One hard and fast requirement of accreditation is the payment of an

1 annual fee. To become accredited by BBBSN, a business must pay BBBSN a yearly
2 Accreditation fee, which varies based on an undisclosed formula.

3 45. The BBBSN Accreditation fee ranges from anywhere between several
4 hundred dollars a year to several thousand dollars a year.

5 46. On information and belief, BBBSN pays a percentage of every annual
6 Accreditation fee to CBBB.

7 47. In addition to advertising their Accreditation service, Defendants engage in
8 considerable self-promotion of their other services. In particular, Defendants heavily
9 promote their online presence, which they refer to as BBBOOnline.

10 48. Defendants advertise that their BBBOOnline service provides consumers
11 with online access to Defendants' ratings of businesses.

12 49. Defendants further advertise to consumers that Defendants' BBBOOnline
13 service and Defendants' rating system are backed by the standards, credibility, and the
14 high name recognition of Defendants, which brings their almost 100-year-old reputation
15 for marketplace trust to the Internet.

16 50. Defendants further advertise that Defendants BBBOOnline service and
17 rating systems exist so that consumers and businesses alike have an unbiased source to
18 guide them on matters of trust in the marketplace.

19 51. Defendants further advertise that their services provide educational
20 information and expert advice that is free of charge and readily accessible.

21 52. Defendants further advertise that they should be relied on by consumers as
22 their key advisors, most reliable evaluators, and most objective experts on the topic of
23 trust in the marketplace.

24 53. Defendants further advertise that to make the BBBOOnline service robust
25 and reliable, Defendants closely monitor thousands of businesses on an ongoing basis.

26 54. Defendants further advertise that over a million users visit BBOnline each
27 month.

28 55. Defendants encourage Accredited businesses to advertise their relationship

1 with Defendants by displaying the BBB seal on their Internet websites. When the seal is
2 displayed on a business's website, it is designed to contain a hyperlink to Defendants'
3 BBBOnLine service.

4 56. Once a consumer arrives at BBBOnLine, the consumer can search for any
5 business and view Defendants' rating of that business.

6 **DEFENDANTS' INCONSISTENT AND BIASED RATING SYSTEM**

7 57. Defendants' advertisements are designed to create the appearance that
8 Defendants provide impartial and accurate information to consumers about businesses
9 through Defendants' BBBOnLine service and rating system.

10 58. In particular, Defendants claim that their rating system is an honest and
11 accurate reflection of a variety of criteria, which reflect the trustworthiness, quality, and
12 responsiveness of a business.

13 59. However, Defendants' rating system is inconsistent and biased, and
14 Defendants assign businesses letter grades that in no way reflect trustworthiness, quality,
15 and responsiveness of a business.

16 60. In particular, whether a business has paid an annual fee to Defendants in
17 order to become accredited is a factor in determining the business's rating, though such
18 factor does not make a business any more or less trustworthy than a comparable non-
19 accredited business.

20 61. In fact, whether a business has paid to become accredited is a significant if
21 not the determinative factor in a business's rating.

22 62. In January 2009, Defendants adopted a new system for rating businesses.
23 Previously, Defendants would give businesses either a satisfactory or unsatisfactory
24 rating. Under the new system, Defendants give businesses a letter grade ranging from
25 "A+" through "F."

26 63. On information and belief, on average, Defendants assign an accredited
27 business a letter grade that is two to three letter grades higher than the grade assigned to
28 a comparable non-Accredited business.

1 64. On information and belief, this grade discrepancy exists even when a non-
2 accredited business has a larger number of customers than a comparable accredited
3 business, has received far fewer complaints than the accredited business, and has
4 undertaken good faith efforts to resolve all the customer complaints it has received.

5 65. On information and belief, when a business refuses to become accredited
6 and pay Defendants an annual fee, Defendants purposefully lower that business's letter
7 grade and/or fail to review the business's correspondence with Defendants and/or refuse
8 to acknowledge efforts that the business has taken to promote its trustworthiness, quality,
9 and responsiveness, including its good faith efforts to respond to all consumer complaints.

10 66. Through this grading discrepancy, Defendants have created a striking
11 benefit for businesses to become accredited, *i.e.* they will receive a higher grade.

12 67. Defendants do not disclose that the payment of the Accreditation fee and
13 the resulting accreditation are determinative of a business's letter grade.

14 68. Because Defendants advertise their rating system as accurate and
15 unbiased, and because consumers rely on Defendants' BBBOOnline rating system for
16 selecting businesses, and because Defendants' rating system is fundamentally
17 inaccurate, Defendants regularly mislead consumers about the trustworthiness, quality,
18 and responsiveness of various businesses—both by unfairly disparaging non-Accredited
19 businesses and by inaccurately praising accredited businesses.

20 **DEFENDANTS TARGET INCORP WITH FALSE ADVERTISEMENTS**

21 69. Since as early as 2008, Defendants have listed Incorp on their BBBOOnline
22 system and provided consumers with a rating of Incorp.

23 70. Beginning in January 2009, Defendants assigned a letter grade to Incorp,
24 and made that letter grade available to consumers through Defendants' BBBOOnline
25 system.

26 71. During 2009, Defendants would send Incorp copies of the few complaints
27 that consumers had filed with Defendants regarding Incorp. Defendants would also
28 provide Incorp with a time period to respond to the consumer complaint and to provide

1 Defendants with documentation of Incorp's response (the "Response").

2 72. Incorp quickly responded to all complaints it received from Defendants and
3 promptly provided Defendants with Incorp's Responses.

4 73. Incorp took considerable efforts to ensure that Defendants received
5 Incorp's Responses, including by sending the Responses to multiple email accounts held
6 by Defendants and by U.S. Mail. Incorp also made numerous follow-up phone calls to
7 Defendants to ensure that they had received the Responses. Incorp also began using
8 "read receipts" to ensure that the emails containing the Responses were received and
9 viewed by Defendants.

10 74. Nonetheless, on multiple occasions in 2009, Defendants claimed never to
11 have received Incorp's Responses, or to have lost Incorp's Responses, or to have
12 misplaced Incorp's Responses. In each of these situations, Incorp's grade took a nose
13 dive, typically becoming an "F" because Defendants recorded that Incorp had not
14 provided them with a Response.

15 75. During 2009, Defendants also admitted to assigning complaints regarding
16 other companies to Incorp, and/or assigning complaints to Incorp that did not exist, and/or
17 adding and removing complaints to Incorp's records without any communication to Incorp
18 or Response from Incorp.

19 76. As a result, since January 2009, Defendants' rating of Incorp has vacillated
20 from "B-" to "F," and has included "No Rating" at numerous times, with no cognizable
21 basis for the lack of a rating.

22 77. When Incorp has inquired about having an "F" rating, Defendants have
23 explained that the "F" rating was automatically computed when consumer complaints
24 existed about Incorp, which Incorp had not responded to.

25 78. Despite this explanation, Incorp assiduously responded to every customer
26 complaint sent to Incorp by Defendants, and sent its Responses in multiple forms to
27 Defendants.

28 79. When Incorp inquired about what complaints remained open, Defendants

1 became elusive or argumentative. At one point, Defendants refused to send Incorp the
2 purported consumer complaints, saying that Incorp would have to pay a fee for each
3 complaint. At other times, Defendants would say that a complaint had been removed or
4 taken care of, while refusing to identify the complaint to Incorp or Incorp's Response to
5 the complaint.

6 80. Incorp's "read receipts" reveal that at times Defendants received and
7 reviewed Incorp's Responses but failed to modify their record of Incorp to reflect the
8 Responses.

9 81. As a result of Defendants' misconduct, on multiple occasions Incorp's rating
10 in Defendants' BBBOnLine system dropped to an "F."

11 82. Moreover, even when Defendants admit that they received Responses to
12 all customer complaints, Defendants' rating of Incorp rarely—if ever—went above a "B-."

13 83. On information and belief, Defendants have had no factual basis for
14 assigning these various letter grades to Incorp, and have not employed the formula as
15 detailed in their advertisements.

16 84. On information and belief, the two most important—if not decisive—factors
17 in Defendants' actual rating of Incorp have been: a) the fact that Incorp is not accredited;
18 and b) the existence of consumer complaints regarding Incorp, to which Defendants claim
19 that Incorp never provided Responses—though Incorp sent Responses to every
20 complaint.

21 85. On multiple occasions, BBBSN has solicited Incorp to become an
22 accredited business and to pay the BBBSN an annual Accreditation fee.

23 86. Incorp has refused Defendants' solicitation and refused to pay Defendants
24 the annual Accreditation fee.

25 87. Defendants have recklessly or purposely refused to amend Incorp's record
26 in the BBBOnLine system to reflect the Responses sent to Defendants by Incorp.

27 88. Moreover, on information and belief, Defendants have artificially lowered
28 Incorp's rating as a result of their dislike for Incorp.

1 89. This grade deflation is evident by examining the BBBOnLine records of
2 comparably sized companies in the registered agent industry and other industries. Such
3 an examination reveals that accredited companies receive far better ratings than non-
4 Accredited companies, even when the non-Accredited companies have received fewer
5 complaints and have a larger customer base.

6 90. Moreover, Defendants took affirmative steps to derail Incorp's attempts to
7 improve its relationship with Defendants. For example, by June 2009 Incorp had
8 developed a functional relationship with a representative of Defendants, who had offered
9 her personal email address for Incorp to send their Responses.

10 91. Shortly thereafter, Defendants replaced this representative with a new
11 representative, Eve Kimball, who proceeded to mishandle Incorp's records, resulting in
12 low grade ratings, including "F"s.

13 92. During this transition, Defendants admitted that they failed to amend
14 Incorp's records to include Responses, which resulted in an "F" rating of Incorp.

15 93. Defendants' misconduct persisted after the transition. Defendants
16 recklessly or intentionally did not receive Incorp's Responses on multiple occasions.

17 94. Moreover, on information and belief, Defendants assigned consumer
18 complaints to Incorp, which did not exist or which concerned other companies, and then
19 withdrew those complaints when Incorp questioned Defendants about them.

20 95. Moreover, on any given day during this time period, Incorp's letter rating
21 could vacillate several times, from "F" to "No Rating," to "C," without any explanation.

22 96. For example, on December 7, 2009, Incorp's letter rating changed several
23 times from "F" to "No Rating." Moreover, the reason behind the "No Rating" itself
24 changed. At times, BBBOnLine explained that the "No Rating" existed because
25 Defendants had "not processed any complaints against this business in the last 36
26 months, [their] standard reporting period." This statement was false. At other times on
27 December 7, 2009, the "No Rating" existed because "the rating is being reviewed and/or
28 updated." On information and belief, this statement was false also.

1 97. At no time have Defendants explained this vacillation in Incorp's grades,
2 and on information and belief, no such vacillation is possible under the parameters of the
3 letter rating system advertised by Defendants.

4 **DEFENDANTS' BBBONLINE SERVICE IS SUSCEPTIBLE TO EASY MANIPULATION**

5 98. As discussed above, Defendants advertise to consumers that Defendants'
6 BBBOnLine service and Defendants' rating system are backed by the standards,
7 credibility, and the high name recognition of Defendants, which brings their almost 100
8 year old reputation for marketplace trust to the Internet.

9 99. In fact, Defendants BBBOnLine rating system as applied to Incorp (and
10 other businesses) is subject to easy manipulation by any third party in a matter of
11 seconds. Thus, Defendants' BBBOnLine rating system is not credible, backed by
12 trustworthy standards, or otherwise reliable.

13 100. By making minor alterations to the URL that Defendants provide to users of
14 their BBBOnLine system, third parties can create a web page, under Defendants' domain
15 name, that reflects any grade they want for any business listed in the BBBOnLine
16 system.

17 101. Unscrupulous third parties can then spread these URLs throughout the
18 Internet, creating the impression to millions of Internet users that Defendants have
19 assigned Incorp (or another business) a different letter grade than it has actually
20 assigned.

21 102. For example, if an Internet user enters the following domain name of
22 Defendants into his or her web browser:

- 23 • southernnevada.bbb.org/bbb Rated Acc Rpt.asp?bbbId=59882&tr=A&lg=A&ex=1

24 The web browser displays an "A" letter grade for Incorp, as revealed in Exhibit 1.

25 103. By comparison, if an Internet user enters the following domain name of
26 Defendants into his or her web browser:

- 27 • southernnevada.bbb.org/bbb Rated Acc Rpt.asp?bbbId=59882&tr=F&lg=F&ex=1

28 The web browser displays an "F" letter grade for Incorp, as revealed in Exhibit 2.

104. There is a significant risk that third parties will exploit this simple manipulation and proliferate hyperlinks to Defendants' web pages that display poor ratings of Incorp, even when those poor ratings were inconsistent with the actual rating of Incorp in the BBBOnLine system.

105. In or around March 2010, Defendants changed their grading system to include a "Rating Explanation." For Incorp, the sole basis of its rating was the "number of complaints filed against this business." Notwithstanding, this explanation, Defendants then caution that a "company's size and volume of transactions" may account for the number of the complaints.

106. Moreover, this new rating system is internally inconsistent. As a limited example, as of March 22, 2010 Defendants stated that Incorp had 27 complaints, which resulted in a C rating. By comparison, a prominent Las Vegas hotel had 26 complaints, which resulted in an A+ rating. Not coincidentally, this hotel is a "BBB Accredited Business."

THE EFFECT OF DEFENDANTS' MISCONDUCT ON INCORP'S BUSINESS

107. As Defendants have advertised, millions of users visit the BBBOnLine every month, seeking recommendations on businesses to use.

108. In fact, many consumers believe that Defendants are part of a governmental or quasi-governmental organization, which provides unbiased and accurate information about businesses.

109. Many customers searching for a registered agent service turn to Defendants' BBBOnLine service in looking for a registered agent service or confirming that the registered agent service they have selected is trustworthy and reliable.

110. Numerous existing and prospective customers of Incorp have used Defendants' BBBOnLine service to review the letter grade for Incorp. Many of these customers have seen that Defendants assigned Incorp an "F" letter grade, even when that grade was unwarranted under Defendants' formula.

111. Existing customers who viewed Defendants' inaccurate grade of Incorp

1 believed that Incorp was less trustworthy or reliable than its competitors and either left
2 Incorp or demanded a steep discount in the rate they were required to pay Incorp.

3 112. Prospective customers who viewed Defendants' inaccurate grade of Incorp
4 believed that Incorp was less trustworthy or reliable than its competitors, and opted to
5 use a different registered agent service.

6 113. Thus, as a result of Defendants' inaccurate grading system, Incorp has
7 been substantially harmed, and no adequate remedy exists in law to redress that harm.

8 **FIRST CAUSE OF ACTION**
9 **FALSE ADVERTISING & CONTRIBUTORY FALSE ADVERTISING UNDER THE**
10 **LANHAM ACT (15 U.S.C. §1125(a))**

11 114. Incorp repeats and incorporates by reference all of the allegations set forth
12 above.

13 115. Defendants intentionally and with knowledge published false descriptions
14 and representations of fact about their own services. To wit, Defendants claimed that
15 they offered an unbiased and accurate rating system for businesses, when in fact their
16 rating system was biased, inaccurate, and failed to comply with the formula Defendants
17 advertised.

18 116. On information and belief, Defendant Campbell intentionally and with
19 knowledge served as a conscious force behind Defendants' false statement, in that she
20 knowingly participated in, authorized, and/or approved the acts of false advertising
21 described above.

22 117. Defendants intentionally and with knowledge published false descriptions
23 and representations of fact about Incorp. To wit, Defendants claimed that Incorp
24 deserved a letter grade of "F," or "NR," or other lesser grades than warranted by
25 Defendants' grading formula, which grades indicated a lack of trustworthiness and
26 reliability of Incorp as a business, when in fact no facts justified such a letter grade, and
27 Defendants were aware that no such facts existed.

28 118. Defendants' statements misrepresented the quality and nature of Incorp's
professionalism and client dedication as well as the quality, reliability, and safety of

1 Incorp's services.

2 119. Defendants made these false statements on their BBBOnline service, which
3 is visited by millions of consumers each month.

4 120. Defendants made their false statements to discourage consumers from
5 using Incorp's services, and to encourage people to use Accredited competitors of
6 Incorp.

7 121. As a result of Defendants' statements, Incorp has been substantially
8 harmed.

9 **SECOND CAUSE OF ACTION**
10 **BUSINESS DISPARAGEMENT (NEVADA COMMON LAW)**

11 122. Incorp repeats and incorporates by reference all of the allegations set forth
12 above.

13 123. Defendants intentionally and with knowledge published false and
14 disparaging descriptions and representations of fact about Incorp. To wit, Defendants
15 claimed that Incorp deserved a letter grade of "F," or "NR," or other lesser grades than
16 warranted by Defendants' grading formula, which grades indicated a lack of
17 trustworthiness and reliability of Incorp as a business, when in fact no facts justified such
18 a letter grade, and Defendants were aware that no such facts existed.

19 124. Defendants' statements misrepresented the quality and nature of Incorp's
20 professionalism and client dedication as well as the quality, reliability, and safety of
21 Incorp's services.

22 125. Defendants' false and disparaging statements about Incorp were made
23 without any privilege.

24 126. Defendants made the false and disparaging statements about Incorp with
25 actual knowledge and/or reckless disregard for the truth, and thus with malice.

26 127. Defendants made their false statements discourage consumers from using
27 Incorp's services, and to encourage people to use accredited competitors of Incorp.

28 128. Defendants' false and disparaging statements about Incorp have caused

Incorp direct economic loss.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully request relief as follows:

A. That the Court enter a judgment in favor of Incorp and against Defendants that they are:

- a. Liable to Incorp for contributory false advertising under 15 U.S.C. §1125(a).
- b. Liable to Incorp for business disparagement under Nevada common law.

B. That the Court enter a judgment in favor of Incorp and against Defendants, awarding Defendants:

- a. Compensatory damages for false advertising and contributory false advertising under 15 U.S.C. §1117(a);
- b. Treble damages against Defendants, under 15 U.S.C. §1117(a) for their oppression, fraud, and malice in their false advertising;
- c. Direct, compensatory, general, special, and consequential damages against Defendants for business disparagement;
- d. Punitive damages against Defendants, under N.R.S. 42.005(e) for oppression, fraud, and malice for Defendants' business disparagement;
- e. Attorneys' fees and necessary expenses against Defendants under 15 U.S.C. §1117(a);
- f. All costs of this action;
- g. Pre-judgment interest.

C. That the Court grant to Incorp such additional relief as is just and proper.

DATED: May 6th, 2010

GOOLD PATTERSON ALES & DAY

BY: 

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Attorneys for Plaintiff

REQUEST FOR JURY TRIAL

Plaintiff Incorp Services, Inc. hereby demands a trial of this action by jury.

DATED: May 6TH, 2010

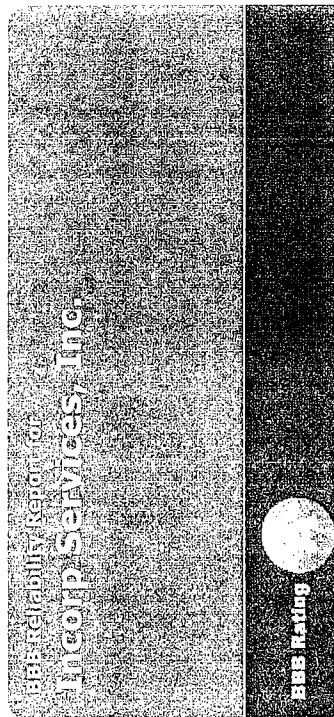
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EXHIBIT 1

EXHIBIT 1



BBB issues Reliability Reports on all businesses, whether or not they are BBB accredited. If a business is a BBB Accredited Business, it is stated in this report.

Find out more about this business:

- BBB Accreditation
- BBB Rating
- Business Contact and Profile
- Products and Services
- Business Management
- Licensing
- Customer Complaint History
- Government Action(s)
- Advertising Review
- BBB Copyright and Reporting Policy

BBB Accreditation

This company is not a BBB Accredited Business.

BBB Rating

Based on BBB files, this business has a BBB rating of A.
 Reasons for this rating include:
 This business has no rating at this time because the rating is being reviewed and/or updated.
 Click here for an explanation of BBB Ratings.

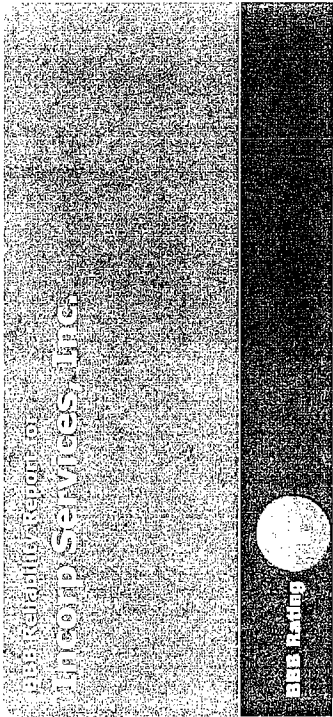
Business Contact and Profile

Company Name: Incorp Services, Inc.
Company Address: 375 N. Stephanie St. #1411
 Henderson, NV 89014-8909
Phone Number: (702) 868-2500
Original Business Start Date: March 2001
Local Business Start Date: July 2008
Type of Entity: Corporation
Incorporated: 1/13/1998 in NV
Principal: Terrie Sedlacek, President
Customer Contact: Gayle Clauges, Director of Customer Svc.
BBB Accreditation Status: This company is not a BBB Accredited Business.
Type of Business: Incorporating Services
Web Site Address: www.incorp.com

Products and Services

EXHIBIT 2

EXHIBIT 2



BBB issues Reliability Reports on all businesses, whether or not they are BBB accredited. If a business is a BBB Accredited Business, it is stated in this report.

Find out more about this business:

- | | |
|------------------------------|------------------------------------|
| BBB Accreditation | Licensing |
| BBB Rating | Customer Complaint History |
| Business Contact and Profile | Government Action(s) |
| Products and Services | Advertising Review |
| Business Management | BBB Copyright and Reporting Policy |

BBB Accreditation

This company is not a BBB Accredited Business.

BBB Rating

Based on BBB files, this business has a BBB rating of F.
Reasons for this rating include:
This business has no rating at this time because the rating is being reviewed and/or updated.
Click here for an explanation of BBB Ratings.

Business Contact and Profile

Company Name:	Incorp Services, Inc.
Company Address:	375 N. Stephanie St. #1411 Henderson, NV 89014-8909
Phone Number:	(702) 866-2500
Original Business Start Date:	March 2001
Local Business Start Date:	July 2008
Type of Entity:	Corporation
Incorporated:	1/13/1998 in NV
Principal:	Tennie Sedlacek, President
Customer Contact:	Gayle Clauges, Director of Customer Svc.
BBB Accreditation Status:	This company is not a BBB Accredited Business.
Type of Business:	Incorporating Services
Web Site Address:	www.incorp.com

Products and Services

